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We place on sale Monday, August 10, 1903, our entire line of \$1 quality. Imported Pineapple silks and Pina cloths, in full range of colors, light, dark, black, white and all evening shades. Full 36 inches wide, the regular \$1 quality at per yard

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Lead Pencils, per doz.....	10c
Playing Cards, per pack.....	10c
Cloth Bound Books.....	15c
Business Envelopes, 500 for.....	75c
Scratch Pads, per doz.....	20c
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Fancy Glass Ink Wells.....	25c
High Grade Fountain Pens.....	\$1.50

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BOLTE VS. BELLINAS

Perry Reverses the
Decree of De
Bolt.

Club Stables Case Sent
Back To Trial
Court.

Salaries Paid Manager and As-
sistant Found to Be Exorbit-
ant and Excessive.

By a unanimous opinion written by Justice Perry the Supreme Court reverses the decree of Judge De Bolt and remands to him for such further proceedings as may be proper the case of C. Bolte, E. K. Bull, J. J. Sullivan and Paul R. Isenberg, on behalf of themselves and all other stockholders in the Club Stables, Limited, a corporation, against C. H. Bellina, W. E. Bellina, H. H. Perry and Club Stables, Limited.

THE CASE STATED.

It was a bill in equity to restrain C. H. Bellina, as manager of the corporation, from paying to himself and to W. E. Bellina and H. H. Perry, as assistant managers, certain salaries alleged to be exorbitant and excessive, and for an order requiring these three respondents to repay to the corporation all moneys received by them as salary from September 1, 1901, over and above the amount of a reasonable compensation for the services rendered by them.

The court below, on motion of respondents, dismissed the bill at the close of the complainants' case "for insufficiency of proof and lack of equity." An appeal was taken from this ruling by plaintiffs, but Isenberg and Sullivan afterward withdrew their appeals. The Supreme Court lays the law down as follows in its syllabus of opinion:

LAW SUMMARIZED.

Directors stand toward the corporation in the relation of trustees to a cestui que trust, and when they vote to themselves salaries or other compensation or services such salaries or other compensation cannot be allowed to stand unless shown to be fair and reasonable.

FACT AND LAW.

From the undisputed evidence the court, in the body of its opinion, gives findings of fact and law. C. H. Bellina was appointed manager by the directors at a meeting on September 9, 1901. In the end of that month he fixed the salaries of W. E. Bellina and H. H. Perry as foremen or assistant managers at \$200 each a month. Besides these salaries the foremen had the free use of a cottage belonging to the corporation therefore rented at the rate of \$20 a month. At a meeting of directors on November 14, 1901—Bolte, Perry and the two Bellinas present—the salary of the manager was fixed at \$300 a month from September 10, 1901, Bolte voting against the motion on the ground that such salary would be excessive.

PROTEST VOTED DOWN.

No formal complaint was made against the salaries until August 3, 1902, when, at a meeting of directors Bolte moved, seconded by Isenberg, that the three salaries be reduced \$100 a month each, but Perry and the two Bellinas voting against it the motion was lost. On December 1, 1902, Bolte and Bull addressed a letter to the board of directors, protesting against the salaries, as being unreasonably high, claiming that each of the three men had been overpaid \$100 a month, asking the board to demand repayment of the excess amounting to \$300.30 and, in case of non-compliance, to institute proceedings in the name of the corporation to compel such repayment, the writers giving notice that if the board did not do so they would bring suit themselves. At a meeting of directors on December 11, 1902—only the two Bellinas and J. J. Carreiro being present—the board refused to comply with the requests made or to reduce any of the salaries and passed a resolution declaring the compensation to be reasonable and ratifying its own action and that of the manager.

MAJORITY OF STOCK.

Perry left the employ of the corporation in August, 1902. During all of the time mentioned C. H. Bellina held 181 shares of the stock, W. E. Bellina 15 shares and Perry, until the transfer of a portion of his interest in August, 105 shares, the total capital stock of the corporation being 500 shares. W. E. Bellina is the brother of C. H. Bellina. The present suit was begun December 27, 1902. The opinion at this stage says:

SALARIES FOUND EXCESSIVE. While the experts who testified on

the subject are not all agreed as to what would be reasonable compensation for a manager and assistant managers under circumstances such as those surrounding the Club Stables, Limited, we find, upon all the evidence thus far adduced, that the salaries allowed to the three respondents are exorbitant and excessive.

FAIRNESS MUST BE SHOWN.

Directors stand toward the corporation which they represent and act for in the relation of trustees to a cestui que trust. Some of the authorities go to the extent of holding that they may not, lawfully, vote to themselves compensation for services and that any such attempted vote would be illegal, but it is unnecessary to go to that extent in the case at bar. We will assume for the purposes of this appeal that if directors do vote to themselves salaries or other compensation, such salaries may be allowed to stand if their entire reasonableness and fairness is shown by the parties benefited thereby but not otherwise, and a rule more favorable than this the respondents cannot expect. Directors can no more use the property of their principal for their own private gain than any other agent or trustee. They must act in good faith and for the interests of the stockholders whom they represent. (Many authorities are here quoted.) Not only have the respondents failed to show the entire fairness and reasonableness of the salaries, but the showing thus far is that the salaries are unfair to the corporation.

LACHES NOT PROVED.

On the plea of laches, or sleeping on their rights, raised against the complainants the court remarks on a lack of evidence, saying that if more will yet be adduced the court will then be in a better position to pass upon the whole subject. In reversing the decree the court says the motion to dismiss the suit should have been denied and the respondents should have been required to present their defense.

Robertson & Wilder conducted the case and successful appeal for the complainants.

A BADGE FOR CHIEF THURSTON

Fire Chief Thurston was presented with a handsome gold badge, showing his rank, by the members of the Honolulu Fire Department last evening. The chief was called to the library at Central Station a little before eight o'clock with a request that he settle an argument then in progress. He found all the men from the central station gathered there as well as representatives from the hose stations in other districts.

As he entered, Assistant Chief A. G. Deering stepped forward with a package in his hand. As he unrolled the wrappings and handed Mr. Thurston the heavy gold badge, he told him how much his men loved and esteemed him. Mr. Deering said:

"In token of friendship and the highest esteem, in which we hold you, we, the members of the Honolulu Fire Department, herewith present you with this token of remembrance, which we trust will be worn by you, and ever as a reminder of the high regard in which we hold you. Coming as it does, from the Honolulu Fire Department collectively, we trust that you will recognize that individually, each member of the department considers you worthy of the highest compliment that we can pay you. And now, as I pin on this token of our warmest friendship, we hope that you will ever wear it, in kind remembrance of our aloha and best wishes."

Mr. Thurston was much overcome but responded briefly, thanking the men for the kind expression of their esteem and also complimenting them on the assistance they had always given him.

The badge is truly a beautiful piece of work. It is of massive gold, studded with diamonds. On the front is an eagle to which is suspended a shield upon which is engraved five trumpets, the insignia of Mr. Thurston's rank. In the center is a large diamond. The letters "Chief, H. F. D." are engraved upon the front. On the reverse is engraved "Presented to Chas. H. Thurston as a token of esteem by the members of the Honolulu Fire Department, August 6, 1903."

Miss Dreier's Death.

The Chronicle gives the following account of the death of Miss Juanita Dreier who died on the Ventura before the vessel reached San Francisco.

At 8:30 o'clock Sunday night, when the Ventura was within a few hundred miles of the coast, Juanita Dreier, eleven years old, died of appendicitis. She had been ailing for two weeks, but left Honolulu a week ago apparently in good health, on her way to the Coast, accompanied by her sister, fifteen years old, for the purpose of attending Notre Dame College at San Jose. Three or four days ago the girl was attacked with an aggravated case of appendicitis, and despite all the efforts of Dr. Clark, ship's surgeon she sank rapidly and passed away Sunday night. Her death cast a gloom over all the other passengers, whose sympathy was extended to the sorrowing sister of the deceased. She was a daughter of August Dreier, a well-known planter of the Hawaiian islands. The body was brought to port and will probably be embalmed and sent back to Honolulu.

Tomorrow at noon, Jas. F. Morgan will sell by order of the court a piece of property in Robello lane, containing 44-100 acre.

ROBBERIES WERE MANY

The Parker Homestead
Often Visited By
Thieves.

The police are still working on the Parker robbery but with no success. Every place in the city where the stolen diamonds may have been sold was visited but without result. Finally Col. Parker is reported to have told the police to let the matter drop if there seemed to be no promise of success. This however will not be done, so Deputy Sheriff Chillingworth said yesterday, though he stated that there was absolutely no clue to work upon. Mr. Parker is confident of the honesty of all the employees and servants about the house.

The diamond robbery is said to be one of a series of thefts from which the inmates of the Parker homestead have suffered within the past six months. Not long ago Mr. Parker was robbed of a solid gold match safe of great value. The match safe was a present and Mr. Parker raised a great hue and cry over the loss. All his clothing was searched without result and the servants also were examined but no trace of it would be found. Finally a few days afterwards the match safe was discovered in a pocket of a coat which had just been returned by the laundryman. The missing safe is supposed to have been placed there by the thief who took this means of concealing his theft.

Miss Chrystal who has been visiting the Parkers for some months was robbed on three different occasions. Once a valuable diamond brooch which she had worn at an evening party was taken. On another occasion the chain worn with the brooch was stolen. Still another time she was robbed of twenty dollars in gold and some silver.

Of the blue diamond taken the other night there is but one other in the United States, so there should be no difficulty in detecting the thief if he tries to sell it. The three blue diamonds were imported a number of years ago by Vanderslice of San Francisco for the Baroness Von Schroeder. Afterwards she would not take them and Col. Parker's first wife purchased two of the stones for \$4,500 which were set in a ring. The third stone is said to be still in the possession of the importer, and is the only one of its kind on the mainland.

THE PEOPLE ALL

In Chorus Cried, Give Us Newbro's Herpicide.

This word of late has been in everyone's mouth, and many are wondering what the word signifies, though no one has yet been found, who will deny that NEWBRO'S HERPICIDE does the work. Well, for the information of thousands of people who like to know all about a good thing, we would say that HERPICIDE means, a destroyer or killer of "Herpes." Now "Herpes" is the family name of a disease caused by various vegetable parasites. A similar microbe causes dandruff, itching scalp, and falling hair; this is the microbe that NEWBRO'S HERPICIDE promptly destroys; after which the hair grows. Sold by leading druggists. Send 10c. in stamps for sample to The Herpicide Co., Detroit, Mich. Hollister Drug Co., Special Agents.

Sugar, Electric and Mining Machinery

For Sale

One Quadruple Yar Yan EVAPORATOR.
One VACUUM PAN. 7 feet diameter, 8 feet deep.
One CORLISS ENGINE. 18"x42".
Five 500-gallon Brass CLARIFIER COILS.
One 60 H P Edison Bipolar 500 VOLTS GENERATOR.
One 50 H P Fort Wayne DIRECT CURRENT MOTOR.
One 50 H P ELECTRIC LOCOMOTIVE.
One 10x12 Fly Wheel AIR COMPRESSOR.
Four Sullivan ROCK DRILLS.
Two Doble ROCK DRILLS.
Two American Pump Co 6x3x12 direct acting AIR COMPRESSORS.
Two Speed Regulating PUMP GOVERNORS.
One 36 inch VENTILATING FAN.
Two W. I. LIGHT WEIGHT PULLEYS 65 in diameter, 12 1/2 feet.
One Duplex Worthington CIRCULATING PUMP.
One T. C. Austin ROCK CRUSHER.
One Aveling & Porter TRACTION ENGINE.
One 10 Tonne FOWLER CULTIVATOR.
One Fowler STEAM SCOOP and spares.
Twelve Dump COOLER CARS on wheels; size 30"x30"x30".

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ON FRIDAY, AUGUST 7,

AT 10 O'CLOCK A. M.,

At my salesroom, 42 Queen street, I will sell at Public Auction, a lot of FINE FERNS AND PALMS.

JAS. F. MORGAN,
AUCTIONEER.

CASH SALE

At my salesroom, 42 Queen street,

TODAY

AT 10 O'CLOCK A. M.,

I will sell the following goods:
A new lot of hammocks in first class order, Wardrobe, Dressers, Veranda Chairs, Vases, Flower Stands, Pictures, Tailor Goods, Groceries, a choice lot of Cigars, etc., etc.

Jas. F. Morgan,
AUCTIONEER.

Guardian's Sale
OF
Real Estate

By order of Sam Pali, guardian of the Estate of Olivia Laheia, a minor, there will be sold at Public Auction at the front entrance to the Judiciary Building, King street, Honolulu,

ON SATURDAY, AUG. 8, 1903

AT 12 O'CLOCK NOON,

A valuable parcel of land situate on Robello lane, Honolulu, being all the land described in Royal Patent No. 1228, L. C. A. 8316 to Kauliki, area 44-100 acre.

Terms Cash.
Sale subject to confirmation of the Court.

Jas. F. Morgan,
AUCTIONEER.

ADMINISTRATOR'S SALE
OF
Leasehold at Waikiki

By order of Cecil Brown, administrator of the Estate of Geo. E. Bordman, deceased, I will sell at Public Auction at my salesroom, 447 to 457 Kaahumanu street

ON SATURDAY, AUG. 29, 1903

AT 12 O'CLOCK NOON,

The leasehold of Premises at Kalia, Waikiki.
The lease has an unexpired term of 14 years at an annual rental of \$140, payable semi-annually on October 5th and May 5th.

Lessee pays taxes and water rates. The property fronts direct on the Beach and is improved with a new two story dwelling house, stables and outhouses.

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FOR LEASE.

Piece of land in Manoa Valley, having a frontage of 350 feet on the main government road and a depth of 220 feet to the stream. Contains 1 87-100 acres. Lease has 19 years to run. Elegant for a country residence; a fine bathing pool can be had at the stream.

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